

REMARKS/ARGUMENTS

Applicant thanks the examiner for the careful examination given to the present application. The application has been reviewed in light of the Office action, and it is respectfully submitted that the application as amended, is patentable over the art of record. Reconsideration of the application as amended is respectfully requested.

Claim 1 is amended. Claim 4 is canceled. Claims 5-6 have been added.

Claims 1, 2, and 4 stand rejected 35 U.S.C. 103(a) as being unpatentable over Meyer, Jr. Et al. (U.S. Patent No. 5,588,041) in view of Sosnowski (EP 0963148A2). Claim 1 has been amended with the subject matter of claim 4, and claim 4 has been canceled. For the following reasons, the examiner's rejection is respectfully traversed.

None of the references disclose or suggest that "the ventilation hole is provided in close proximity and opposite of a sound hole at a rear of the speaker" as recited in amended claim 1.

Meyers discloses a shield apparatus 409 placed above a transceiver circuit board 417 (col. 10, lines 11-16; Fig. 4). Sosnowski discloses that the top surface of the shielding system 10 for a printed circuit board may include air vents 24 in the form of small circular holes for ventilation (para. 15; Fig. 1). In Sosnowski, the ventilation holes are illustrated as being located in the corners of the surface or randomly disposed in the interior of the surface (see Fig. 1-2). Therefore, the references do not disclose or suggest that a ventilation hole is provided in close proximity and opposite of a sound hole at a rear of the speaker as in the claimed invention. Therefore, even if combined, the reference do not disclose or suggest all the elements of the claimed invention.

Claim 3 stands rejected 35 U.S.C. 103(a) as being unpatentable over Meyer in view of Sosnowski and further in view of Reiff et al. (U.S. Patent No. 5,406,038). For the following reasons, the examiner's rejection is respectfully traversed.

With regard to claim 3, there is no suggestion or motivation for one skilled in the art at the time the invention was made to combine Meyer and Sosnowski with Reiff to arrive at the claimed invention. Meyers discloses a shield apparatus 409 placed above a transceiver circuit board 417 (col. 10, lines 11-

16; Fig. 4). Sosnowski discloses that the top surface of the shielding system 10 for a printed circuit board may include air vents 24 in the form of small circular holes for ventilation (para. 15; Fig. 1).

There is no suggestion or motivation in Meyers or Sosnowski of providing a holder to cover the rear and sides of the speaker to shield the speaker. Since the shielding systems of Meyer and Sosnowski already shield the printed circuit board, there is no need to additionally shield the speaker. Therefore, there is no motivation to look at or use shielded speaker elements in Reiff. The desirability of such a modification is found only in the Applicant's own description of the invention, in contrast to the requirement that the teaching or suggestion to make the modification must be found in the prior art, and not based on an applicant's disclosure. Reconsideration and withdrawal of the rejection based upon the combination of references is respectfully requested.

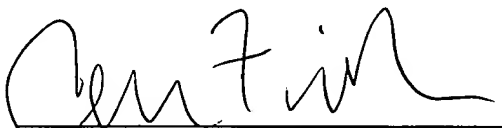
In light of the foregoing, it is submitted that the application as amended is in a condition for allowance and notice to that effect is hereby requested. If it is determined that the application is not in a condition for allowance, the examiner is invited to initiate a telephone interview with the undersigned attorney to expedite prosecution of the application.

If there are any additional fees resulting from this communication, please charge the same to our Deposit Account No. 16-0820, our Order No. 34205.

Respectfully submitted,

PEARNE & GORDON LLP

By:



Aaron A. Fishman, Reg. No. 44682

1801 East 9th Street
Suite 1200
Cleveland, Ohio 44114-3108
(216) 579-1700

Date: August 11, 2004